

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

UNITED STATES OF AMERICA

v.

Cr. No. 11-

JOSE ROBLES

INDICTMENT

The Grand Jury Charges:

Count One

**[Aid and Abet False Statement During Firearms Purchase:
18 U.S.C. § 922(a)(6)and 2]**

On or about March 28, 2009, in the District of New Hampshire, the defendant,

JOSE ROBLES,

in connection with the acquisition of a firearm, to wit: an HS Products, model XD40, serial number US196571, 40 caliber pistol from Pete's Gun & Tackle Shop in Hudson, NH, a federally licensed firearms dealer, knowingly aided and abetted the making of a false and fictitious written statement to such federally licensed firearms dealer, which said statement was likely to deceive such dealer as to a fact material to the lawfulness of the sale of the firearm under chapter 44 of Title 18, in that the defendant aided and abetted Beth M. Kennedy in representing that she was the actual buyer of the firearm, when in fact, as the defendant then well knew, such statement was false.

In violation of Title 18, United States Code, Section 922(a)(6); Section 924(a)(2); and Section 2.

The Grand Jury further Charges:

COUNT TWO

**[Possession of a Firearm in Furtherance of a Drug Trafficking Offense:
18 U.S.C. § 924(c)]**

On or about March 28, 2009, in the District of New Hampshire, the defendant,

JOSE ROBLES,

did knowingly possess a firearm, that is an HS Products, model XD40, serial number US196571, 40 caliber pistol , in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is distribution of a controlled substance, heroin, contrary to Title 21, United States Code, 841(a)(1).

All in violation of Title 18, United States Code, Section 924(c)(1)(A).

The Grand Jury further Charges:

Count Three

**[Aid and Abet False Statement During Firearms Purchase:
18 U.S.C. § 922(a)(6)and 2]**

On or about October 2, 2010 through October 14, 2010, in the District of New Hampshire, the defendant,

JOSE ROBLES,

in connection with the attempted acquisition of a firearm, to wit: a Glock, model 17, serial number PCX860, 9mm pistol from Stateline Guns, Ammo and Archery in Plaistow, NH, a federally licensed firearms dealer, knowingly aided and abetted the making of a false and fictitious written statement to such federally licensed firearms dealer, which said statement was likely to deceive such dealer as to a fact material to the lawfulness of the sale of the firearm under chapter 44 of Title 18, in that the defendant aided and abetted Beth M. Kennedy in representing that she was the actual buyer of the firearm, when in fact, as the defendant then well knew, such statement was false.

In violation of Title 18, United States Code, Section 922(a)(6); Section 924(a)(2); and Section 2.

NOTICE OF FORFEITURE

**[Firearms and Ammunition Forfeiture Allegation --
18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c)]**

1. The allegations contained in Counts 1 - 3 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924, Title 21, United States Code, Section 853(a) (2) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offense in violation of Title 18, United States Code, Section 924(c) set forth in Count 2 of this Indictment, the defendant:

JOSE ROBLES

shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d), Title 21, United States Code, Section 853(a)(2) and Title 28, United States Code, Section 2461(c), any firearm and ammunition involved or used in the commission of the offenses, including, but not limited to: the firearm described in Count 2 and any ammunition seized with it.

3. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

All pursuant to Title 18, United States Code, Section 924(d)(1), Title 21, United States Code, Section 853(a)(2) and Title 28, United States Code, Section 2461(c).

Date: September 7, 2011

A TRUE BILL.

/s/ Foreperson
Foreperson

JOHN P. KACAVAS
United States Attorney

/s/ Robert J. Veiga
Robert J. Veiga
Assistant U.S. Attorney